**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD**

## HON'BLE Mr. JUSTICE R. SUBHASH REDDY

**Writ Petition No.28272 of 1996**

**Dated: September 19, 2006**

**Between:**

K. Venkata Rao, S/o. Sri Subba Rao, aged
38 years, R/o. Gandigunta, Vuyyuru,
Krishna District, and others.

… Petitioners

And

The District Educational Officer, Machilipatnam,
Krishna District, and others.

… Respondents

## Order:

This writ petition has been filed seeking Mandamus to declare the action of the first respondent in not approving the selection and appointment of the petitioners as illegal and arbitrary.

2. The petitioners, three in number, were appointed as S.G. Teachers in the schools of respondents 2 to 4. When proposals were sent to the first respondent for approval of their appointment, the same were rejected by the first respondent on the ground that they are over-

aged.

3. This court in **O. Rama Mohan Reddy Vs. Secretary, Education Committee, Cuddapah District and another**[1] has held that no upper age limit has been prescribed for recruitment to posts in the aided educational institutions in the rules issued in G.O.Ms.No.1 dated 01-01-1994.

4. This court, while admitting the writ petition, by order dated 21-12-1996, granted interim directions to the respondents to consider the approval of appointment of the petitioners. It is stated that pursuant to the interim orders of this court, first respondent has approved the proposals of respondents 2 to 4 on 11-11-1997.

5. In the circumstances, following the aforesaid judgment of this court, I dispose of the writ petition directing the respondents to continue the petitioners in service in view of the approval of their appointments as per the rules applicable. However, with regard to seniority and other benefits, it is open for the petitioners to make necessary applications.

**JUSTICE R. SUBHASH REDDY.**

September 19, 2006
**MRR**

[1] **1996 (4) ALD 840**